

REMARKS

In the Office Action mailed August 2, 2007, claims 1-20 were rejected. Claims 13-17 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 1-12 and 18-20 were rejected under 35 U.S.C. §103(a) as being obvious over Shah (U.S. Pat. No. 6,595,430) in view of Kunihisa (Japanese Pat. App. Pub. No. 2001-153891, and translation included with the 8/2/2007 Office Action). Claims 1-20 were objected to for language that conflicted with the specification and made the claim unclear in context.

Claim Objections

Claims 1-20 were objected to for language that conflicted with the specification and made the claim unclear in context. With the present amendments to independent claims 1, 13 and 18, the relationship of the shaded and unshaded areas has been clarified for all the pending claims and should now correspond more clearly with the disclosure in the specification. (See, e.g., specification p. 10, ll. 16-21). Thus, the objections to claims 1-20 should be withdrawn. Notification to that effect is requested.

Claim Rejections - 35 U.S.C. §101

Claims 13-17 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter, as claiming a method without producing a concrete, tangible result. With the present amendments, claims 13-17 have been clarified to more clearly recite a system rather than a method. Amended claims 12-25 recite useful physical structures. Thus, the rejections of claims 13-17 under §101 should be withdrawn. Notification to that effect is requested.

Claim Rejections - 35 U.S.C. §103(a)

Claims 1-12 and 18-20 were rejected under 35 U.S.C. §103(a) as being obvious over Shah (U.S. Pat. No. 6,595,430) in view of Kunihisa (Japanese Pat. App. Pub. No. 2001-153891, and translation included with the 8/2/2007 Office Action).

Amended independent claims 1 and 18 recite at least one shaded region (or illustrating the same) that defines an operational time period and an unshaded region (or illustrating the same) within the at least one shaded region. This amendment clarifies that the

unshaded region defines a preset temperature range centered about a temperature set by a user and shows a range in plus or minus degrees from the temperature set by the user for a magnitude of the preset temperature range configured by the user. In this respect the fact that the user-configured range is unshaded is not merely a function of whether the background is shaded or unshaded, but rather conveys specific information within a shaded region that indicates when, for example, a HVAC system would be started and stopped.

None of the cited references discloses, teaches or suggests each and every limitation of amended independent claims 1 and 18. As presently amended, the claims recite an alternative configuration that includes structures and method steps not contemplated by the cited art. Namely, the use of an unshaded area within a shaded area allows the convenient, easy-to-understand illustration of more information within a limited space than is taught or suggested by the cited references. A person of ordinary skill in the art would not have known how to modify the cited references to arrive at the presently-claimed invention. Thus, the rejections of claims 1 and 18 under §103(a) should be withdrawn. Claims 2-12 depend from amended independent claim 1 and include all of the limitations of that base claim, and claims 19 and 20 depend from amended independent claim 18 and include all of the limitations of that base claim. Thus, dependent claims 2-12, 19 and 20 are likewise allowable over the cited art for the reasons given above. Thus, the rejections of all of claims 1-12 and 18-20 should be withdrawn, and notification to that effect is requested.

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Application No.: 10/823,486

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CONCLUSION

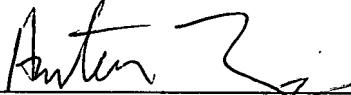
All of the pending claims are now in condition for allowance. The Examiner is invited to contact the undersigned at the number provided below if it would in any way facilitate examination. The Commissioner is authorized to charge any additional fees associated with this paper or credit any overpayment to Deposit Account No. 03-0835.

Respectfully submitted,

KINNEY & LANGE, P.A.

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